

STATE OF WISCONSIN
Assembly Journal

Ninety-First Regular Session

THURSDAY, October 6, 1994

The chief clerk makes the following entries under the above date:

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 94-46

Relating to twin trifecta pools and tri-superfecta pools.

Submitted by Gaming Commission.
To committee on State Affairs.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-85

Relating to the school breakfast program.
Submitted by Department of Public Instruction.
To committee on Children and Human Services.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-95

Relating to pari-mutuel racing.
Submitted by Gaming Commission.
To committee on State Affairs.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-107

Relating to reimbursement for the direct costs of medical care provided to adults who have cystic fibrosis.
Submitted by Department of Health and Social Services.

To committee on Health.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-115

Relating to the minor deficiencies license.
Submitted by Department of Public Instruction.
To committee on Education.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-139

Relating to title restrictions, full terms of sale and guarantees.

Submitted by Department of Regulation and Licensing.
To committee on Health.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-149

Relating to alternative education program licenses and conflict resolution.

Submitted by Department of Public Instruction.
To committee on Education.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-150

Relating to teacher licenses and approved programs at the early childhood, elementary and elementary/middle level.

Submitted by Department of Public Instruction.
To committee on Education.
Referred on October 6, 1994.

Assembly Clearinghouse Rule 94-151

Relating to educational interpreter - deaf or hard of hearing licenses.

Submitted by Department of Public Instruction.
To committee on Education.
Referred on October 6, 1994.

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Resolution No.	Enrolled No.	Publication date
Assembly Jt. Res. 3	-----19	-----October 4, 1994
Assembly Jt. Res. 81	-----20	-----October 4, 1994
Assembly Jt. Res. 121	-----21	-----October 4, 1994

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Natural Resources
Madison

September 16, 1994

SUBJECT: 1993 Act 16 Mandated Report/Study of Improvements To the Hunting and Fishing License Sales System

To the Honorable the Legislature:

Section 9142 (11) of 1993 Wisconsin Act 16 required the Department to form a committee to study and recommend improvements to the current system of selling hunting and fishing licenses in Wisconsin. We're pleased with the results of that effort and feel that the committee did an excellent job of examining this issue

and putting forth its recommendations. Based upon these recommendations, as appropriate, we will be moving forward in the 1995-97 biennial budget with initiatives that support the direction contained in the report.

Please find attached a copy of the final report. If you have questions or require additional follow-up, I will be happy to respond.

Sincerely,
GEORGE E. MEYER
Secretary, DNR

Referred to committee on Tourism and Recreation.

State of Wisconsin
Supreme Court of Wisconsin
Director of State Courts
Madison

October 1, 1994

TO: The Honorable the Assembly
FROM: J. Denis Moran
Director of State Courts

Pursuant to s. 758.19(5)(i), Wis. Stats., the information reported to the Director of State Courts under s. 758.19(5)(e), Wis. Stats., by Wisconsin's counties has been compiled and is herein submitted. Under s. 758.19(5)(e), Wis. Stats., each county is required to submit an annual report to the Director of State Courts which provides information on the actual amount incurred in the previous calendar year for court costs relating to the circuit court support payment and the guardian ad litem reimbursement programs.

Under the circuit court support payment program, counties received \$9,931,700, or \$43,922 per circuit court branch, in circuit court support payments on April 21, 1994 to be used by the counties to offset the following court costs incurred or to be incurred by them from August 13, 1993, through December 31, 1994:

- * Juror fees under s. 59.77(8), Wis. Stats.;
- * Fees for expert witnesses called by the guardian ad litem under s. 767.045(6), Wis. Stats., if either or both parties are unable to pay those fees;
- * Witness fees set under s. 814.68(1)(b)1 and (c), Wis. Stats., for witnesses called by the court on its own motion or called by, or subpoenaed at the request of, a district attorney, the state public defender or private attorney appointed under s. 977.08, Wis. Stats.;
- * Fees for expert witnesses appointed under s. 907.06, Wis. Stats., by the court on its own motion or by the court at the request of the district attorney, the state public defender, or a private attorney appointed under s. 977.08, Wis. Stats., or by the court upon agreement of the

district attorney, the state public defender, or a private attorney appointed under s. 977.08, Wis. Stats.;

- * Fees for witnesses or expert witnesses subpoenaed by the court at the request of the district attorney, coroner, or medical examiner under s. 979.06(1) and (2), Wis. Stats.; and
- * Salaries and fringe benefits for judicial assistants for circuit court judges.

The guardian ad litem reimbursement program reimburses counties for the costs of guardian ad litem compensation incurred under ss. 48.235(8), 48.996, 55.06(6) and (9)(b), 767.045(6), 880.33(2)(a)2, 880.331(8) and 891.39(1)(b), Wis. Stats. The Director of State Courts was appropriated \$2,399,000 for state fiscal year 1993-94 to reimburse counties for those guardian ad litem services rendered and paid for by the county from January 1, 1994 through June 30, 1994. The \$4,738,500 appropriated for state fiscal year 1994-95 will be available to reimburse counties for those guardian ad litem services rendered and paid for by the county from July 1, 1994, through June 30, 1995.

The first report from counties under this statute was due July 1, 1994 for calendar year 1993. As of October 1, 1994, all counties have submitted the annual report to the Director of State Courts. If a county does not meet the annual reporting requirement under s. 758.19(5)(e), Wis. Stats., it is not eligible to receive its circuit court support payment for one year after the July 1st report was due or until the annual report is submitted, whichever is earlier.

Because the majority of the counties were not maintaining their records during calendar year 1993 in a manner which allowed for the detailed reporting as required by the annual report, counties were instructed to provide as much information as possible. Beginning with the calendar year 1994 annual report due to the Director of State Courts on July 1, 1995, counties will be expected to maintain their records so as to provide more detail information.

Circuit Court Support Payment Program. Attachment A is a compilation of the information provided by counties for calendar year 1993 on the actual costs incurred during the year for the categories under the circuit court support payment program. Based on these annual reports, counties reported incurring \$9,976,358 in these court costs throughout the calendar year. More specifically:

- * salaries and fringe benefits for judicial assistants totalled \$4,924,004;
- * juror fees totalled \$4,057,274; and
- * witness and expert witness fees totalled \$995,080.

Although the counties reported \$4.9 million, our research shows that the costs reported for salaries and fringe benefits for judicial assistants were overstated by counties for this calendar year. One of the primary

reasons for this overstatement is that the judicial assistant position description developed by the Director of State Courts as required by s. 758.19(h), Wis. Stats., was not effective until January 1, 1994. In future annual reports, counties can report only the salaries and fringe benefits of those judicial assistants who meet the description of the qualifications and duties listed in the position description.

Guardian Ad Litem Reimbursement Program. Counties were also required to report the costs of those guardian ad litem fees which are listed under s. 758.19(6), Wis. Stats. Attachment B provides the information counties were able to report for calendar year 1993. Of the \$6,791,431 counties reported guardian ad litem services paid during 1993:

- * \$2,638,624 were guardian ad litem services provided under Chapter 48 of the Wisconsin Statutes;

- * \$1,127,276 were for guardian ad litem services provided under Chapters 55 and 880 of the Wisconsin Statutes; and

- * \$1,763,064 were for guardian ad litem services provided under Chapter 767 of the Wisconsin Statutes.

The remaining \$1,262,467 was reported as "other guardian ad litem services" mainly because counties could not easily identify the proper category where these costs belonged. Moreover, counties also reported that they recouped at least \$874,020 of the \$6.8 million in guardian ad litem fees from those parties which were provided the services.

Referred to committee on Judiciary.